

REMARKS

Claims 1, 2, 8-18, 60, 64-65, 75, 77-81 were pending prior to this Response. Claims 1-2, 8-18, 60, 64-65, 75 and 78-80 are in condition for allowance according to the Office Action dated January 26, 2005. By the present communication, claims 77 and 81 have been canceled without prejudice. Accordingly, claims 1-2, 8-18, 60, 64-65, 75 and 78-80 are currently pending in this application.

Rejection under 35 U.S.C. § 112, First Paragraph, Enablement

Applicant respectfully traverses the rejection of claims 77 and 81 under 35 U.S.C. § 112, first paragraph as allegedly not being enabled or adequately described by the specification as filed. Applicant submits that the recitation of “a ligand comprising phOx” in claim 1 is not limited to a phOx having the sequence as set forth in SEQ ID NO: 2, but rather is entitled to a scope commensurate with the description of the polypeptide in the specification coupled with the understanding of the skilled artisan. Therefore, the phrase “a ligand comprising phOx” encompasses conjugates and/or derivatives of phOx as disclosed in the specification and shown in Figure 2. However, while not acquiescing to the Examiner’s position, but in order to reduce the issues and further prosecution, Applicant has canceled claims 77 and 81 without prejudice. Accordingly, withdrawal of the rejection is respectfully requested.

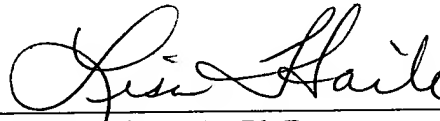
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Conclusion

In view of the above remarks, reconsideration and favorable action on all claims is respectfully requested. Should any questions remain in view of this communication, the Examiner is encouraged to call the undersigned so that a prompt disposition of this application can be achieved. Please charge any additional fees, or make any credits, to Deposit Account No. 07-1896.

Respectfully submitted,



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